NOTICE OF TYPE II DEVELOPMENT REVIEW APPLICATION AND OPTIONAL SEPA DETERMINATION OF NON-SIGNIFICANCE



The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the County expects to issue a **Determination of Non-Significance (DNS)** for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) – Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

Closing Date for Public Comments: December 23, 2009

Information regarding this application can be obtained by contacting the staff contact person listed below, or visit the Public Service Center, Development Services Division, 1300 Franklin Street, 3rd Floor, Vancouver, Washington.

Date of this notice: December 8, 2009

Project Name: SALMON CREEK FRED MEYER

PARKING LOT

Case Number: PSR2009-00047; SEP2009-00097

Location: 800 NE Tenney Road

Request: The applicant is requesting site plan approval to modify

the existing driveway access for the Salmon Creek Fred Meyer Shopping Center. The site is located on

approximately 17 acres in the C-3 zoning district.

Applicant /Contact:

KPFF Consulting Engineers

Attn: Timothy Shell

111 SW Fifth Ave, Suite 2500 Portland, OR 97204-3628

(503)542-3806; (503)274-4681 fax E-mail: <u>tim.shell@kpffcivilpdx.com</u>

E-mail: nick.mcmurtey@kpffcivilpdx.com

Property Owner:

Fred Meyer Stores

PO Box 42121

Portland, OR 97242-0121

Zoning:

C-3

Comp Plan Designation:

CC

Parcel Number(s):

186525-000, 186942-000, 186858-000, 186926-000

Township: 3 North

Range: 1 East

NE 1/4 of Section 27 & NW 1/4 of

Section 26

Applicable Code Sections:

Clark County Code (CCC) Chapter: 40.350 (Transportation), Section 40.350.020 (Transportation Concurrency), 40.380 (Stormwater Drainage and Erosion Control), 15.12 (Fire Code), 40.230 (Commercial Districts, C-3), 40.520.040 (Site Plan Review), 40.320 (Landscaping and Screening), 40.340.010 (Parking and Loading Standards), 40.610 (Impact Fees), 40.570.080 (C) (3) (k) (Historic & Cultural Preservation), 40.500 (Procedures), and 40.570 (SEPA)

Neighborhood Contact:

North Salmon Creek Neighborhood Association, Barbara Anderson, President, 105 NE 150th Street, Vancouver, WA 98685, 573-2240 E-mail: barbara.anderson@msn.com

Staff Contact Person:

<u>Planner:</u> Michael Uduk_(360) 397-2375, ext. 4385

E-mail: michael.uduk@clark.wa.gov

Development Services Manger: Michael Butts (360) 397-2375, ext. 4137

Please email SEPA comments to: michael.uduk@clark.wa.gov

Responsible Official: Michael V. Butts, Development Services Manager Public Service Center, Department of Community Development, 1300 Franklin Street, P.O. Box 9810, Vancouver, WA 98666-9810

Application Filing date: 11/3/09 Fully Complete Date: 11/24/09

SEPA Options:

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- MDNS = Mitigated Determination of Non-Significance (The impacts can be mitigated through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Timelines/Process:

Decisions on Type II applications are made within 78 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

Appeal Process:

The responsible official's decision on the application may be appealed to the County Hearings Examiner by the applicant or any person or group that qualifies as a "Part of Record." To qualify as a party of record, you must have submitted written comments or a written request to be identified as a Party of Record within the comment deadline. Note: If an accurate mailing address for those submitting comment is <u>not</u> included, they will <u>not</u> qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision. An appellant must submit an appeal application and appeal fee within 14 calendar days after the written notice of the decision is mailed.

SEPA Appeals:

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance).

A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

A procedural or substantive appeal must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered at a scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Information Available on the County Web Page:

- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions): (http://www.clark.wa.gov/commdev/active-landuseN.html)
- Pre-Application Conferences and Public Land Use Hearing Agendas: (http://www.clark.wa.gov/commdev/agendasN.asp)

 Applications and Information Handouts for each Type of Land Use Permit: (http://www.clark.wa.gov/commdev/applicationsN.html) (Landuse)

> Phone: (360) 397-2375; Fax: (360) 397-2011 Web Page at: http://www.clark.wa.gov

Attachments:

- Proposed project site/land division plan
- Map of property owners receiving notice

Agency Distribution:

This notice is being provided to the following agencies with jurisdiction whose services maybe impacted by implementation of this proposal:

Federal Agencies:

U.S. Army Corps of Engineers - Enforcement Division

Tribes:

Cowlitz Indian Tribe Yakama Nation Chinook Tribe

State Agencies:

Department of Natural Resources (S.W. Region)

Department of Ecology

Department of Fish and Wildlife Department of Transportation

Regional Agencies:

Fort Vancouver Regional Library Southwest Clean Air Agency Vancouver-Clark Parks & Recreation

Local Agencies:

Clark County Department of Community Development

Development Services
Development Engineering
Fire Marshal's Office
Clark County Health Department

Clark County Public Works Transportation Division

Clark County Conservation District Clark County Water Resource Council City of Vancouver Transportation

Special Purpose Agencies:

Fire Protection District #6

Clark Public Utilities

Clark Regional Wastewater District/City of Vancouver Water/Sewer

The Media

The Columbian
The Oregonian
The Reflector

Vancouver Business Journal

The Post Record

Other:

Applicant

Clark County Neighbors

Clark County Natural Resources Council

Clark County Citizens United

C-Tran

Neighborhood Association

<u>Add</u> Attachment for Agencies:

SEPA checklist

Clark County SEPA Environmental Checklist

Washington Administrative Code (WAC) 197-11-960

Purpose of checklist:

The State Environmental Policy Act (SEPA), Revised Code of Washington (RCW), Chapter 43.21C, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and agencies identify impacts from your proposal and to help agencies decide whether or not an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe basic information about your proposal. Governmental agencies use this checklist to determine whether or not the environmental impacts of your proposal are significant. Please answer the questions briefly, giving the most precise information or best description known. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply."

Some questions pertain to governmental regulations such as zoning, shoreline, and landmark designations. If you have problems answering these questions, please contact the Clark County Permit Services Center for assistance.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. You may be asked to explain your answers or provide additional information related to significant adverse impacts.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals (e.g., county plans and codes), even if the answer is "does not apply." In addition, complete the **SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS** (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. Background

- 1. Name of proposed project, if applicable: Salmon Creek Fred Meyer Parking Lot
- 2. Name of applicant: Tim Shell, KPFF Consulting Engineers
- 3. Address and phone number of applicant and contact person: 111 SW 5th Avenue, Suite 2500, Portland, OR, 97204 503-224-3251
- 4. Date checklist prepared: September 1, 2009
- 5. Agency requesting checklist:

Clark County

6. Proposed timing or schedule (including phasing, if applicable):

Construction is planned for Fall/Winter of 2009.

- 7. Do you have any plans for future additions, expansion, or further activity related to this proposal? If yes, explain.

 No.
- 8. List any environmental information that has been or will be prepared related to this proposal.

An archeological predetermination application will be prepared and submitted to the Washington State Deptartment of Archaelogy and Historic Preservation (DAHP).

9. Are other applications pending for governmental approvals affecting the property covered by your proposal? If yes, please explain.

No.

- 10. List any government approvals or permits needed for your proposal:

 Clark County requires a Type II Site Plan Review, and Transporation / Storm permits.
- 11. Give a brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions addressed later in this checklist asking you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Future construction of the Salmon Creek Interchange Project (SCIP) will impact vehicular access to the Fred Meyer site from NE 139th Avenue. Fred Meyer would like to preclude future access conflicts and proceed with modifying the access locations prior to construction of the SCIP, which Clark County Public Works and WSDOT are building in the future (May 2011).

The access improvements have been developed in collaboration with the County Public Works' SCIP design team, and is described as follows:

- -Two existing driveway entrances to the Fred Meyer site from NE 139th Street will be closed, and a single access will be created in their place.
- -An additional access location will be added to NE Tenney Road.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street address, section, township, and range. If this proposal occurs over a wide area, please provide the range or boundaries of the site. Also, a legal description, site plan, vicinity map, and topographic map. You are required to submit any plans required by the agency, but not required to submit duplicate maps or plans submitted with permit applications related to this checklist.

The site is bound to the north by NE 139th Street, east by NE 10th Avenue, south and west by NE Tenney. The street address is 800 NE Tenney Road, Vancouver, WA 98685. Tax lots 28 (186525), 91 (186942), 5 (186858) and 75 (186926) located in a portion of the NE 1/4 of Section 27, Township 3 North, Range 1 East, of the Willamette Meridian.

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1.	Earth	Agency
		Use only
a.	General description of the site (circle one):(Flat,)rolling, hilly,	

The limits of work on the site vary in elevation from 201' to 205' and generally slopes to the north.

- b. What is the steepest slope on the site and the approximate percentage of the slope?

 Five percent.
- c. What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? Please specify the classification of agricultural soils and note any prime farmland.

Soil type GeB (MAR 43) Gee Silt Loam.

steep slopes, mountainous, other

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, please describe.

 No indications.
- e. Describe the purpose, type, and approximate quantities of any filling or proposed grading. Also, indicate the source of fill. Proposed grading activities include shaping earth to recieve new asphalt paving and creating shallow depressions for water quality facilities. No fill import is anticipated. Less than 50 CY of material is anticipated to be moved during grading operations.
- f. Could erosion occur as a result of clearing, construction, or use? If so, please describe.

Slight erosion could occur during construction. An erosion control plan is included in the project plans and will be implemented during construction.

g. What percentage of the site will be covered with impervious surfaces after the project construction (e.g., asphalt or buildings)?

> The project will result in a net decrease of impervious surfaces. Impervious area Pre-development = 13.19 acres (89.1%) Impervious area Post development = 13.15 acres (88.9%)

h. Proposed measures to reduce or control erosion, or other impacts to the earth include:

Sediment fence, basin / inlet barriers, and street sweeping are the primary measures identified to prevent sediment from leaving the project site.

2. Air

a. What types of emissions to the air would result from this proposal (e.g., dust, automobile, odors, industrial wood smoke) during construction and after completion? Please describe and give approximate quantities.

Some dust from grading is possible.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, please describe.

No.

c. Proposed measures to reduce or control emissions or other impacts to air:

Contractor may use water to keep dust down.

3. Water

a. Surface:

 Is there any surface water body on or in the vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe the type and provide names and into which stream or river it flows into.

No.

2) Will the project require any work within 200 feet of the described waters? If yes, please describe and attach available plans.

No.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Zero. No fill material will be removed from surface waters or wetlands for this project.

4) Will the proposal require surface water withdrawals or diversions? Please provide description, purpose, and approximate quantities:

No.

5) Does the proposal lie within a 100-year floodplain? If so, please note the location on the site plan.

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground:

 Will ground water be withdrawn, or will water be discharged to ground water? Please give description, purpose, and approximate quantities.

No.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources; (e.g., domestic sewage; industrial, containing the following chemicals. . .; agricultural; etc.). Describe the size and number of the systems, houses to be served; or, the number of animals or humans the systems are expected to serve.

No waste material will be discharged into the ground for this project.

c. Water runoff (including stormwater):

 Describe the source of runoff (including storm water) and method of collection and disposal. Include quantities, if known. Describe where water will flow, and if it will flow into other water.

Existing drainage patterns will be maintained in the developed condition, and parking lot drainage will equally flow to new water quality facilities for treatment prior to dischage offsite.

Could waste materials enter ground or surface waters?If so, please describe.

No.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Two new swales will be constructed to replace an existing swale to be demolished during construction. A new rain garden will be constructed to replace an existing swale to be demolished during construction.

4. Plants

Agency Use only

- a. Check or circle types of vegetation found on the site:
 - Deciduous tree) alder, maple, aspen, other
 - Evergreen tree fir, cedar, pine, other
 - Shrubs
 - Grass
 - Pasture
 - Crop or grain
 - Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 - Water plants: water lily, eelgrass, milfoil, other
 - Other types of vegetation
- b. What kind and amount of vegetation will be removed or altered?

Wet soil plants at existing swales will be demolished for land grading activities. New wet soil plants will be planted in the new swales to take the place of the existing swale.

- c. List threatened or endangered species on or near the site.

 None known.
- d. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site:

The water quality swales and rain garden will be planted with Juncus Patens (Common Rush) and Iris Sibirca (Siberian Iris).

5. Animals

- a. Circle any birds and animals which have been observed on or near the site:
 - Birds: hawk, heron, eagle, songbirds other;
 - Mammals: deer, bear, elk, beaver, other; and,
 - Fish: bass, salmon, trout, herring, shellfish, other.
- b. List any threatened or endangered species known to be on or near the site.

None known.

c. Is the site part of a migration route? If so, please explain.

No.

d. List proposed measures to preserve or enhance wildlife:

The proposed water quality facilities will provide improved treatment to storm drainage above the pre-developed condition. This will improve water quality for any fish or animals using surface water downstream of the site.

6. Energy and natural resources

Agency Use only

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electricity will be used to provide lighting at night on the parking lot and for a new pylon sign.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, please describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts:

Light guages, timers and/or personnel will be used to turn off the lights during the daytime.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, please describe.
 - 1) Describe special emergency services that might be required.

No special emergency services are anticipated for this project.

2) Proposed measures to reduce or control environmental health hazards, if any:

No proposed measures are anticipated for this project.

b. Noise

 What types of noise exist in the area which may affect your project (e.g., traffic, equipment, operation, other)?

The project site recieves regular traffic as part of retail operations. This noise will not adversly impact the proposed development.

2) What types and levels of noise are associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours the noise would come from the site.

Short-term construction noise from 7:00 AM to 7:00 PM.

3) Proposed measures to reduce or control noise impacts:

No measures are proposed outside of the construction work hours dictated by Clark County Code.

8. Land and shoreline use

Agency Use only

a. What is the current use of the site and adjacent properties?

The adjacent properties to the north, west and south are residential. Adjacent east properties are commercial and residential.

b. Has the site been used for agriculture? If so, please describe.

The site was used for farming from 1944 to 1970.

Describe any structures on the site.

The site currently has a large retail Fred Meyer building, a library, a bank and several smaller businesses.

d. Will any structures be demolished? If so, please describe.

No.

e. What is the current zoning classification of the site?

C - 3

f. What is the current comprehensive plan designation of the site?

CC

g. What is the current shoreline master program designation of the site?

None.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, please specify.

No.

i. How many people would reside or work in the completed project?

None.

- j. How many people would the completed project displace?

 None.
- k. Please list proposed measures to avoid or reduce displacement impacts:

No measures are proposed.

I. List proposed measures to ensure the proposal is compatible with existing and projected land uses and plans:

Landscaping will be replanted along the NE 139th Street frontage to replace the buffer for residential properties to the north of the project site.

9. Housing

Agency Use only

a. Approximately how many units would be provided? Indicate whether it's high, middle, or low-income housing.

None.

b. Approximately how many units, if any, would be eliminated? Indicate whether it's high, middle, or low-income housing.

None.

c. List proposed measures to reduce or control housing impacts:

None.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas? What is proposed as the principal exterior building materials?

No structures are proposed.

b. What views in the immediate vicinity would be altered or obstructed?

None.

c. Proposed measures to reduce or control aesthetic impacts:

None.

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
None.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

None.

c. What existing off-site sources of light or glare may affect your proposal?

None.

d. Proposed measures to reduce or control light and glare impacts:

None.

12. Recreation

Agency Use only

a. What designated and informal recreational opportunities are in the immediate vicinity?

None.

b. Would the project displace any existing recreational uses? If so, please describe.

No.

d. Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant:

None.

13. Historic and cultural preservation

a. Are there any places or objects on or near the site which are listed or proposed for national, state, or local preservation registers. If so, please describe.

Undisturbed native soils below the developed site may contain archaelogical materials of interest.

b. Please describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

The site is identified by DAHP as having a moderate-to-high probability of containing archaelogical materails of interest.

c. Proposed measures to reduce or control impacts:

Archaelogical monitoring will be performed during construction in undisturbed soils. This construction is limited to trench excavations.

14. Transportation

a. Identify the public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The site is served by NE Tenny Road, NE 139th Street and NE 10th Avenue. This project will modify the existing access to NE Tenny Road and NE 139th Street.

b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes - Tenney Road Stop.

c. How many parking spaces would the completed project have? How many would the project eliminate?

The completed project will have 731 total parking spaces onsite. This will reduce the existing parking stall count by 19 spaces.

d. Will the proposal require new roads or streets, or improvements to existing roads or streets, not including driveways? If so, please describe and indicate whether it's public or private.

No.

e. Will the project use water, rail, or air transportation? If so, please describe.

No.

f. How many vehicular trips per day would be generated by the completed project? Indicate when peak traffic volumes would occur.

None.

g. Proposed measures to reduce or control transportation impacts:

This project will facilitate site access for the planned improvements to NE 139th Street that will be constructed in connection with the I-5 / Salmon Creek Interchange Project.

15. Public services

a. Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, please describe.

No.

b. Proposed measures to reduce or control direct impacts on public services:

None.

16. Utilities

a. Circle the utilities currently available at the site: electricity (natural gas water refuse service telephone sanitary sewer) septic system other)

Other - storm sewer.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on or near the site:

None.

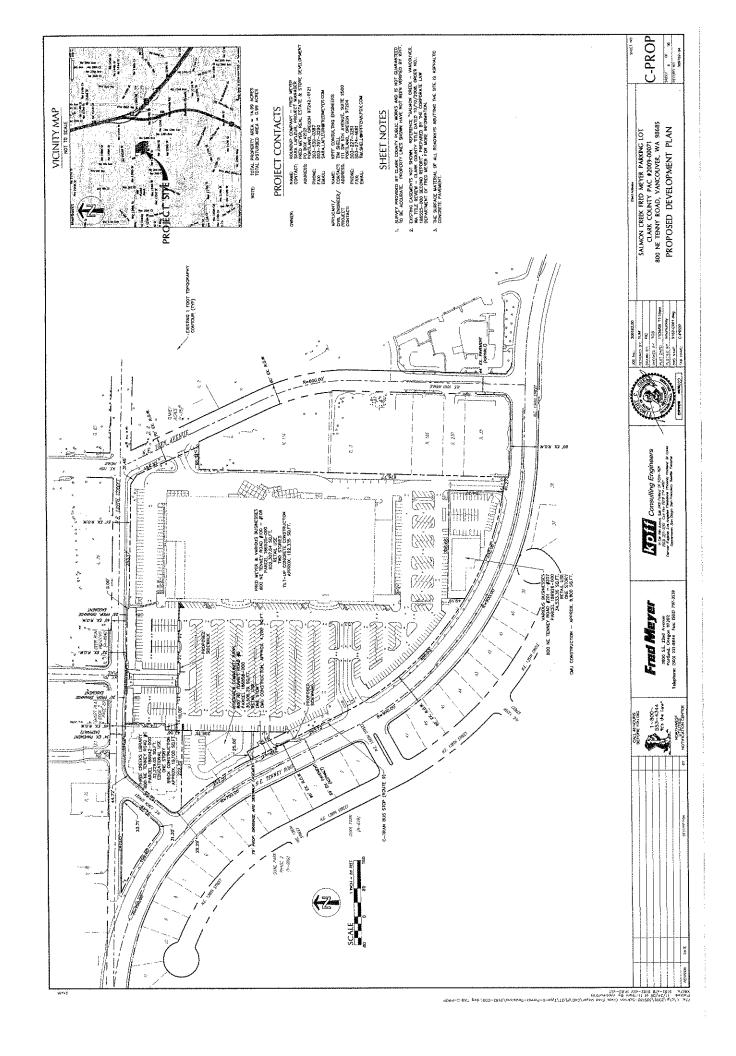
C. Signature

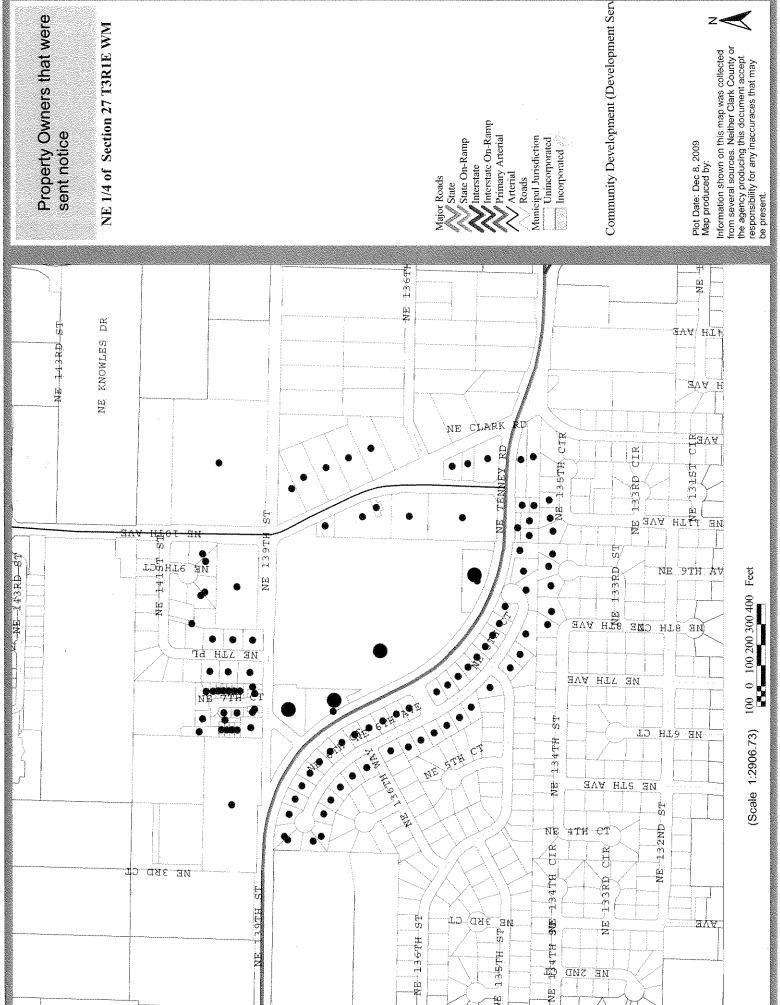
The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: -

Date Submitted:

01 September 2009





Property Owners that were

NE 1/4 of Section 27 T3R1E WM

